



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------|
| 09/734,560 | 12/13/2000 | Atsushi Wakino | FUJI 118 | 3958 |
| 23995 | 7590 | 07/28/2005 | | |
| RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005 | | | EXAMINER NALVEN, ANDREW L. | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2134 | |

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,560

Applicant(s)

WAKINO, ATSUSHI

Examiner

Andrew L. Nalven

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 3 is/are allowed.
- 6) ☒ Claim(s) 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

RD

DETAILED ACTION

1. Claims 1 and 3-5 are pending.

Response to Arguments

2. Applicant's arguments filed 26 April 2005 have been fully considered but they are not persuasive.

3. Applicant has argued on page 6 that the Kara reference fails to teach, "downloading" of the encrypted electronic document from the Certification program. Applicant further argues that the Linden reference also fails to teach the "downloading step." Examiner respectfully disagrees. Examiner contends Linden teaches a step that "allows downloading by said email terminal device at the receiver's said of said text of content certification contained in said one set of registration information retrieved" (Linden, column 7 lines 52-55, returns private Web page). The cited section of Linden teaches the sending of a certified document from a certification program (web server) to a receiver when an access key is received from the receiver (token). The sending of the certified document from the certification program to the receiver is evidence of downloading of the encrypted electronic document. Linden's system lacks a specific reference to the encrypted electronic document being an email document. However, the combination of Linden's downloading step with Kara's email certification program teaches the above-cited limitation.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kara US Patent No 5,982,506 in view of Linden et al US Patent No 6,360,254. Linden discloses a system for providing secure URL based access to private resources. Kara discloses a method and system for electronic document certification.

6. With regards to claim 4, Kara teaches the email terminal device at the sender's side sending a content certification request email to the email content certifying device (Kara, column 4 lines 57-64) in which the content certification email contains an email address of the email terminal at the receivers side and a text of the content certification (Kara, column 4 lines 40-52), the email certifying device judges, upon receipt of said content certification request e-mail, whether there is any tampering with said text of content certification in said email (Kara, column 4 lines 43-67, column 8 lines 59-65), the email content certifying device, upon judging that there is no tampering with said text of content certification saves registration information that contains the text of the content certification in a storage device (Kara, column 9 lines 33-41), sending a receipt email that contains receipt information indicating that content certification has been effected to the email terminal at the sender's side (Kara, column 5 lines 11-22), and said email content certifying device, after confirming said downloading by said email terminal

Art Unit: 2134

at the receiver's side of said text of content certification, sends a delivery certification email to said email terminal device at the sender's side (Kara, column 10 lines 37-44, certification indicia). Kara fails to teach a content certification email containing an access destination in a web server and an access key. Linden teaches the sending of a content certification email containing an access destination in a Web server (Linden, column 7 lines 11-22, URL) and an access key for specifying a receiver to said email terminal device at the receiver's side (Linden, column 7 lines 11-22, token), the email terminal device at the receiver's side, upon receipt of said content certification email, accesses said Web server using the access destination in said email (Linden, column 7 lines 30-33), sends said access key to said email content certifying device through a Web page (Linden, column 7 lines 30-39, passes token to server application by way of GET), said email content certifying device (Linden, column 7 lines 30-33, server application), upon receipt of said access key from said email terminal device at the receiver's side, retrieves from said storage device on set of registration information corresponding to said access key received (Linden, column 7 lines 30-55, returns private record, data record), and allows downloading by said email terminal device at the receiver's side of said text of content certification contained in said one set of registration information retrieved (Linden, column 7 lines 52-55, returns private Web page). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Linden's method of accessing a Web server with an access key with Kara's system for electronic document certification because it offers the advantage of preventing unauthorized user's from accessing restricted content without

Art Unit: 2134

the need to enter a username, password, or other authentication information (Linden, column 1 lines 41-60).

7. With regards to claim 5, Kara as modified teaches the access key containing a receivers identifier and a receivers email address (Linden, column 8 lines 25-36), the email content certifying device retrieves from the storage device one set of registration information corresponding to the receivers identifier (Linden, column 8 lines 60-61, email address database), and judges whether the receivers email address coincides with the receivers email address in the set of registration information retrieved (Linden, column 8 lines 54-65), and only allowing downloading after confirmation (Linden, column 8 lines 54-65).

Allowable Subject Matter

8. Claims 1 and 3 are allowed.

9. A statement of the reasons for allowance may be found in the office action dated 26 January 2005.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272

Art Unit: 2134

3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 571 272 3838. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven

AN

David Y. Jung
Primary Examiner

7/24/08

D. Y. Jung